

with the local district tax, will not maintain the school six months in the year; limiting the amount which any school may receive; providing assistance for such rural schools as will afford instructions and demonstration in home and farm vocations, according to plans approved by the State Department of Education; providing assistance for small districts which effect consolidation during the next two fiscal years; providing for the expenses of administration by action of the State Board of Education; providing for reports to be made to the State Superintendent of Public Instruction and to the State Board of Education; providing for the manner of payment and disbursement of all money granted under the provisions of this Act; repealing all laws and parts of laws in conflict herewith."

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass, with the following amendments:

**Amendment No. 1.**

Amend S. B. No. 7 by striking out the words and figures "two million dollars (\$2,000,000.00)" wherever they appear in the caption and in the bill, and insert in lieu thereof the words and figures "one million, five hundred thousand dollars (\$1,500,000.00)."

**Amendment No. 2.**

Amend S. B. No. 7 by striking out the first paragraph of Section 5 and insert in lieu thereof the following: "Section 5. In case of extraordinary and unusual conditions, where it can be shown that its own resources are insufficient, the State Board of Education may arrange for the support of a rural school from State aid funds for a period not exceeding six months even though the school district be unable to comply with the foregoing conditions; provided, however, that the amount of the tax herein provided for must be voted by the patrons of said school district and cannot be waived by the State Board of Education; and, provided further, that the amount granted in no case, shall exceed \$300.00."

DARWIN.  
LEWIS.  
BURKETT.

**(Minority Report.)**

Committee Room,

Austin, Texas, May 29, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, a minority of your Committee on Finance, to whom was referred

S. B. No. 8, A bill to be entitled "An Act to appropriate six million dollars (\$6,000,000.00) out of the general funds of the State to aid all the public schools for the scholastic years beginning September 1, 1923, and September 1, 1924, and ending August 31, 1924, and August 31, 1925, respectively, the same to be distributed as the available school funds are now distributed."

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass, without amendment, and be not printed.

DARWIN.  
LEWIS.  
BURKETT.

Committee Room,

Austin, Texas, May 30, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 2, A bill to be entitled "An Act relative to the levying of occupation taxes upon individuals, companies, corporations and associations pursuing any of the occupations, that is viz., express companies, gas, electric light, power or waterworks, collecting or commission agencies, car companies, interurban and electric railway companies and telephone companies."

Have had same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

WITT, Chairman.

**TENTH DAY.**

Senate Chamber,

Austin, Texas,

Thursday, May 31, 1923.

The Senate met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by President Pro Tem H. L. Lewis.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	McMillin.
Baugh.	Murphy.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Thomas.
Davis.	Turner.
Doyle.	Watts.
Fairchild.	Wirtz.
Floyd.	Wood.
Lewis.	Woods.

Absent.

Stuart. Witt.

Absent—Excused.

Holbrook. Parr.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Clark.

(See Appendix for committee reports, petitions and memorials.)

Excused.

Senator Holbrook for today and tomorrow, on account of important business, on motion of Senator Bailey.

#### Bill on First Reading.

The following bill, introduced today, was read first time and referred to appropriate committee as follows:

By Senators Rice, Witt, Davis, and Ridgeway:

S. B. No. 19, A bill to be entitled "An Act providing for the collection of an annual fee or tuition from those persons entering and attending the State colleges, normals, Agricultural and Mechanical College, West Texas Technological College, Grubbs Vocational College, John Tarlton College, College of Industrial Arts, and all branches of the University of Texas, and declaring an emergency."

#### H. B. No. 10 on Passage to Third Reading.

The Chair laid before the Senate as pending business, on its passage to third reading, H. B. No. 10, levying a tax on the gross receipts of oil produced in Texas, the bill having been read second time on yesterday.

On motion of Senator Cousins, the minority report recommending that the bill do not pass, was adopted.

#### H. B. No. 1 on Second Reading.

The Chair laid before the Senate as regular order, on its second reading,

H. B. No. 1, A bill to be entitled "An Act to amend Article 7374 of the Revised Civil Statutes of 1911, levying and providing for the payment of an occupation tax on all persons, firms, companies, corporations, common law trusts, associations operating under a declaration of trust or any other association or concern, of whatever name known, or howsoever organized, formed or created, owning, managing, or operating any pipe line or pipe lines within this State, based upon gross receipts derived from business done within this State in intrastate commerce, and declaring an emergency."

The bill was read second time.

Senator Clark moved to adopt the minority favorable report.

Senator Davis moved to adopt the majority adverse report.

Yeas and nays were demanded, and the majority adverse report was adopted by the following vote:

Yeas—15.

Bowers.	Ridgeway.
Burkett.	Strong.
Cousins.	Thomas.
Darwin.	Turner.
Davis.	Watts.
Doyle.	Wirtz.
Floyd.	Woods.
Murphy.	

Nays—9.

Bailey.	McMillin.
Baugh.	Pollard.
Bledsoe.	Rice.
Clark.	Rogers.
Lewis.	

Absent.

Fairchild. Witt.  
Stuart.

Absent—Excused.

Parr.

(Pair Recorded.)

Senator Wood (present), who would vote nay; with Senator Holbrook (absent), who would vote yea.

**H. B. No. 10—Motion to Reconsider.**

Senator Clark moved to reconsider the vote by which the minority report recommending that H. B. No. 10 do not pass, was adopted, and to spread that motion on the Journal.

Senator Burkett called up the motion to reconsider, and moved to table the motion.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—13.

Bowers.	Murphy.
Burkett.	Parr.
Cousins.	Ridgeway.
Darwin.	Watts.
Davis.	Wirtz.
Doyle.	Woods.
Floyd.	

Nays—13.

Bailey.	Rice.
Baugh.	Rogers.
Clark.	Strong.
Fairchild.	Turner.
Lewis.	Witt.
McMillin.	Wood.
Pollard.	

Absent.

Bledsoe. Stuart.

(Pair Recorded.)

Senator Thomas (present), who would vote nay; with Senator Holbrook (absent), who would vote yea.

Senator Clark, after the motion to table was made, yielded his right to close the debate on the motion to table, to Senator Wood.

Senator Burkett made the point of order that only the maker of the motion to reconsider had the right to speak after the motion to table had been made.

The Chair (Senator Lewis, President Pro Tem) overruled the point of order.

Question then recurred on the motion to reconsider.

Senator Wood moved that the motion to reconsider be spread on the Journal.

Yeas and nays were demanded, and the motion was lost by the following vote:

Yeas—12.

Bailey.	Rice.
Baugh.	Rogers.
Clark.	Strong.
Lewis.	Turner.
McMillin.	Witt.
Pollard.	Wood.

Nays—15.

Bledsoe.	Floyd.
Bowers.	Murphy.
Burkett.	Parr.
Cousins.	Ridgeway.
Darwin.	Watts.
Davis.	Wirtz.
Doyle.	Woods.
Fairchild.	

Absent.

Stuart.

(Pair Recorded.)

Senator Thomas (present), who would vote yea; with Senator Holbrook (absent), who would vote nay.

Question: Shall the vote, by which the minority report was adopted, be reconsidered?

Yeas and nays were demanded, and the motion to reconsider was lost by the following vote:

Yeas—12.

Baugh.	Rice.
Clark.	Rogers.
Fairchild.	Strong.
Lewis.	Turner.
McMillin.	Witt.
Pollard.	Wood.

Nays—15.

Bailey.	Floyd.
Bledsoe.	Murphy.
Bowers.	Parr.
Burkett.	Ridgeway.
Cousins.	Watts.
Darwin.	Wirtz.
Davis.	Woods.
Doyle.	

## Absent.

Stuart.

(Pair Recorded.)

Senator Thomas (present), who would vote yea; with Senator Holbrook (absent), who would vote nay.

## S. B. No. 8.

The Chair laid before the Senate as regular order, on its second reading,

S. B. No. 8, A bill to be entitled "An Act to appropriate six million dollars (\$6,000,000.00) out of the general funds of the State to aid all the public schools for the scholastic years beginning September 1, 1923, and September 1, 1924, and ending August 31, 1925, respectively, the same to be distributed as the available school funds are now distributed."

The bill was read second time.

(Lieutenant Governor T. W. Davidson in the Chair.)

Senator Woods moved to lay the bill on the table subject to call.

Yeas and nays were demanded, and the motion prevailed by the following vote:

Yeas—18.

Bailey.	Murphy.
Burkett.	Parr.
Clark.	Pollard.
Darwin.	Rogers.
Davis.	Strong.
Doyle.	Thomas.
Fairchild.	Watts.
Floyd.	Wirtz.
Lewis.	Witt.

Nays—8.

Baugh.	Rice.
Bledsoe.	Ridgeway.
Bowers.	Turner.
McMillin.	Wood.

## Absent.

Cousins.	Voods.
Stuart.	

Absent—Excused.

Holbrook.

5—Senate.

## Message from the Governor.

Governor's Office,

Austin, Texas, May 31, 1923.

To the Members of the Thirty-eighth Legislature, Third Called Session.

Gentlemen: This message is to advise you that I have this day vetoed and filed with the Secretary of State the following appropriation bills, aggregating \$39,207,931.33, passed by the Thirty-eighth Legislature at its Second Called Session:

Senate Bill No. 32—An Act appropriating \$6,670,717.56 for the support of the departments of the State Government;

House Bill No. 41—An Act appropriating \$7,235,985.00 for the maintenance of the eleemosynary institutions of the State;

Senate Bill No. 3—A bill appropriating \$11,898,124.80 for the support of our educational institutions;

House Bill No. 23—An Act appropriating \$3,000,000.00 for the purpose of promoting rural education;

House Bill No. 7—Appropriating \$6,000,000.00 to aid the public schools of the State;

House Bill No. 5—An Act appropriating \$3,235,884.00 for the support of the Judicial Department of the State Government;

Senate Bill No. 92—Appropriating \$829,458.39 to pay miscellaneous claims against the State;

Senate Bill No. 29—An Act making supplemental appropriation of \$335,761.58 for the support of the departments of the State Government, and for the maintenance of our eleemosynary and educational institutions;

House Concurrent Resolution No. 12—Appropriating \$2,000.00 to pay salary of the engineer for eleemosynary institutions.

The above appropriations, in addition to other appropriations made by the Thirty-eighth Legislature, exceed, by approximately eight million dollars, the income of the State. It is indisputably true that the State cannot pay out money that it does not have. Therefore, I felt that it was my solemn and constitutional duty to veto those appropriation bills in order that you may have an opportunity to reconsider your revenue bills and your appropriation bills, to

the end that the State may be kept upon a cash paying basis.

Yours sincerely,

PAT M. NEFF,  
Governor.

#### Recess.

Senator Witt moved that the Senate recess until 1:30 p. m. today.

On motion of Senator Clark, the Senate at 12:01 p. m. recessed until 2 p. m. today.

#### Afternoon Session.

The Senate met at 2 p. m. and was called to order by Lieutenant Governor T. W. Davidson.

#### H. C. R. No. 10.

The Chair laid before the Senate as pending business, H. C. R. No. 10, which was pending at the time the Senate recessed.

Senator Murphy offered the following amendment to the resolution:

Amend H. C. R. No. 10 by adding the following:

"That all other Judges, Supreme Court, Court of Criminal Appeals, Commission of Appeals, Courts of Civil Appeals, district courts, criminal district courts, county courts, county courts at law and justices of the peace and all other officers of the State are hereby given the right to absent themselves from the State for the year 1923 and any subsequent year, for such time as they shall desire.

On motion of Senator Wirtz, the resolution, together with the pending amendment, was referred to the Committee on Civil Jurisprudence.

#### S. B. No. 5 on Second Reading.

On motion of Senator Wood, by unanimous consent, the regular order was suspended, and the Senate took up out of its regular order,

S. B. No. 5, A bill to be entitled "An Act making appropriation to pay salaries of judges, and the support of the Judicial Department of the State Government for the two years

beginning September 1, 1923, and ending August 31, 1925."

The Chair laid the bill before the Senate and it was read second time, and the Senate rule requiring committee reports to lie over one day was suspended by unanimous consent. The committee report that the bill be not printed was adopted.

Senator Burkett offered the following amendment to the bill:

Amend S. B. No. 5, page 10, under head of Judiciary, by inserting a new item as follows:

"For the payment of salary of Judge of Ninety-second Judicial District for the months of April, May, June, July, and August, 1923, the sum of \$1,666.67."

The amendment was adopted.

The bill was then passed to engrossment.

#### S. B. No. 5 on Third Reading.

On motion of Senator Wood, the constitutional rule requiring bills to be read on three several days in each House was suspended, and S. B. No. 5 was put upon its third reading and final passage by the following vote:

Yeas—21.

Bailey.	Parr.
Baugh.	Rice.
Burkett.	Ridgeway.
Darwin.	Rogers.
Davis.	Strong.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Witt.
Lewis.	Wood.
McMillin.	Woods.
Murphy.	

Absent.

Bowers.	Stuart.
Clark.	Thomas.
Cousins.	Wirtz.
Pollard.	

Absent—Excused.

Bledsoe.	Holbrook.
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The Chair then laid S. B. No. 5 before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—21.

Bailey.	Darwin.
Baugh.	Davis.
Burkett.	Doyle.

Fairchild.	Rogers.
Floyd.	Strong.
Lewis.	Turner.
McMillin.	Watts.
Murphy.	Witt.
Parr.	Wood.
Rice.	Woods.
Ridgeway.	

Absent.

Bowers.	Stuart.
Clark.	Thomas.
Cousins.	Wirtz.
Pollard.	

Absent—Excused.

Bledsoe.	Holbrook.
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**S. B. No. 6 on Second Reading.**

On motion of Senator Wood, by unanimous consent, the regular order was suspended, and the Senate took up out of its regular order,

S. B. No. 6, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employes of certain eleemosynary institutions of the State and other expenses of maintaining and conducting them for the two fiscal years beginning September 1, 1923, and ending August 31, 1925, as follows, to-wit: Confederate Woman's Home; State Confederate Home; State Lunatic Asylum; State Pasteur Institute; Southwestern Insane Asylum; North Texas Hospital for the Insane; East Texas Hospital for the Insane; State Epileptic Colony; State Orphan's Home; State Institution for Training Juveniles; Girls Training School; State Colony for Feeble-minded; State Tuberculosis Sanatorium; Hospital for Crippled Children; Deaf, Dumb and Blind Institute for Colored Youths; Northwest Texas Insane Asylum; State Home for Dependent and Neglected Children; and declaring an emergency."

The Chair laid the bill before the Senate and it was read second time and the Senate rule requiring committee reports to lie over one day was suspended by unanimous consent. The committee report that the bill be not printed was adopted, and it was then passed to engrossment.

**S. B. No. 6 on Third Reading.**

On motion of Senator Wood, the constitutional rule requiring bills to

be read on three several days in each House was suspended, and S. B. No. 6 was put upon its third reading and final passage by the following vote:

Yeas—24.

Bailey.	Murphy.
Baugh.	Parr.
Burkett.	Rice.
Clark.	Ridgeway.
Cousins.	Rogers.
Darwin.	Strong.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Wirtz.
Floyd.	Witt.
Lewis.	Wood.
McMillin.	Woods.

Absent.

Bowers.	Stuart.
Pollard.	Watts.

Absent—Excused.

Bledsoe.	Holbrook.
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The Chair then laid S. B. No. 6 before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—25.

Bailey.	Parr.
Baugh.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Thomas.
Davis.	Turner.
Doyle.	Watts.
Fairchild.	Wirtz.
Floyd.	Witt.
Lewis.	Wood.
McMillin.	Woods.
Murphy.	

Absent.

Bowers.	Stuart.
Pollard.	

Absent—Excused.

Bledsoe.	Holbrook.
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**S. B. No. 9 on Second Reading.**

On motion of Senator Wood, by unanimous consent, the regular order was suspended and the Senate took up out of its regular order,

S. B. No. 9, A bill to be entitled

"An Act making certain emergency and supplemental appropriations out of the general revenues of the State for the several institutions and departments of the State Government as named herein for the balance of the fiscal year ending August 31, 1923, and declaring an emergency."

The Chair laid the bill before the Senate, it was read second time and the Senate rule requiring committee reports to lie over one day was suspended by unanimous consent. The committee report that the bill be not printed was adopted.

Senator Watts moved to lay the bill on the table subject to call, and the motion was lost.

Senator Wood moved that the bill be considered item by item, and the motion prevailed.

Senator Fairchild moved that the Senate recess until 4 p. m. today, and the motion was lost.

The Secretary proceeded to read the bill item by item, beginning with the Board of Control.

Senator Fairchild offered the following amendment to the bill:

Amend S. B. No. 9, page 1, by striking out the figures "\$150" and inserting in lieu thereof figures "\$75" in third line from bottom of page 1.

Senator Floyd offered the following substitute for the amendment:

Amend H. B. No. 9, page 1, by striking out the figures "\$150," and insert in lieu thereof the figures "\$100," in third line from bottom of page 1.

The substitute was adopted, and the amendment as substituted was then adopted.

Senator Burkett offered the following amendment to the bill:

Amend S. B. No. 9, page 1, by striking out "\$4,000" and insert "\$3,000," in last line.

Senator Wood moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—15.

Baugh.	Doyle.
Clark.	Lewis.
Cousins.	McMillin.
Darwin.	Murphy.
Davis.	Ridgeway.

Rogers.  
Turner.  
Wirtz.

Witt.  
Wood.

Nays—9.

Bailey.  
Burkett.  
Fairchild.  
Floyd.  
Parr.

Strong.  
Thomas.  
Watts.  
Woods.

Present—Not Voting.

Rice.

Absent.

Bowers.  
Pollard.

Stuart.

Absent—Excused.

Bledsoe.

Holbrook.

Senator Clark offered the following amendment to the bill:

Amend S. B. No. 9, line 1, page 2, by striking out all of said line.

The amendment was adopted.

The State Comptroller's Department was read.

Senator Fairchild offered the following amendment to the bill:

Amend S. B. No. 9, page 2, by striking out all of "one thousand dollars" in line 15.

The amendment was adopted.

Senator Floyd offered the following amendment to the bill:

Amend S. B. No. 9, lines 2 and 3, page 1, by striking out the word "May" and figures "\$800" and insert in lieu thereof the word "June" and the figures "\$600."

The amendment was adopted.

Senator Watts moved that the bill be printed in the Journal, and further consideration of the same be postponed until it is printed.

The motion was lost.

The State Treasury Department was read.

Senator Floyd offered the following amendments to the bill:

(1)

Amend S. B. No. 9, page 2, line 6, by striking out the word "May" and figures "\$500" and insert in lieu thereof the word "June" and figures "\$375."

(2)

Amend S. B. No. 9, page 2, line 7, by striking out the word "May" and figures "\$916" and insert in lieu thereof the word "June" and figures "\$687.25."

The amendments were adopted.  
The Supreme Court Department was read.

Senators Burkett and Pollard offered the following amendment to the bill:

Amend S. B. No. 9 by striking out "\$5,000.00" and insert "\$2,500.00."

On motion of Senator Wood, the amendment was tabled.

Senator Burkett offered the following amendment to the bill:

Amend S. B. No. 9 by striking out the item "\$2,000.00."

The amendment was adopted.

The Department of the Assistant Attorney General, Court of Criminal Appeals, was read.

Senator Fairchild offered the following amendment to the bill:

Amend S. B. No. 9, page 3, by striking out all of that section which reads as follows:

"Assistant Attorney General, Court of Criminal Appeals, to pay assistant State's attorney to Court of Criminal Appeals from May 1, 1923, to August 31, 1923, same being provided by Act of the Regular Session of the Thirty-eighth Legislature, \$1,000."

The amendment was adopted.

Senator Wood moved to reconsider the vote by which an amendment to the Comptroller's Department, offered by Senator Fairchild, was adopted, the motion pending.

#### Gift of Flowers.

Comptroller's Office,

Austin, Texas, May 31, 1923.

To the Members of the State Senate,  
Austin, Texas.

Gentlemen: Acting upon a motto recently made prominent by a sad moment in the Texas Legislature, "Flowers for the Living," I present to you, with my highest compliments and sincerest good wishes, this bouquet of cape jessamines from the coast county of our Empire State.

May these pure white flowers, earth's angels, and emblematic of that which is sweetest and purest in life, adorn the desk of your presiding officer. As the fragrance from bud and bloom is wafted to you on the gentle zephyrs may it fill your brain with thoughts that are wise, your heart with devotion to the stern tasks of life, your entire being with an

inspiration to do great things for a "Greater Texas."

Sincerely,

LON A. SMITH,  
Comptroller.

Lieutenant Governor T. W. Davidson accepted the flowers upon behalf of the Senate.

#### , Message from the House.

Hall of the House of Representatives,  
Austin, Texas, May 31, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 10, Granting permission to Hon. J. R. Warren, Judge of the Seventh Judicial District of Texas, to leave the State.

H. B. No. 8, A bill to be entitled "An Act to amend Chapter 2, Title 126, of the Revised Statutes of the State of Texas, 1911, relative to the levy of occupation taxes based on gross receipts, by adding a new Article 7376a, said article extending the provisions of said chapter so as to include each and every person, association of persons or corporation created by the laws of this or any other State or Nation, which shall engage, in their own name or in the name of others, in the wholesale business of coal oil, fuel oil, naphtha, benzine, or any other mineral oils refined from petroleum; levying a tax of one-half per cent, and declaring an emergency."

H. B. No. 25, A bill to be entitled "An Act amending Section 13 of Article 7355, Revised Civil Statutes of the State of Texas, 1911, imposing an occupation tax upon theatrical, dramatic and musical comedy shows and amusements for which pay for admission is demanded or received, and which travel from place to place and give exhibitions, the amount of tax to be determined according to the number of inhabitants in cities and towns affected by this Act and by the amount charged for admission; making certain exemptions from the provisions of this Act, and declaring an emergency," with engrossed rider.

H. B. No. 28, A bill to be entitled "An Act amending Section 14 of Article 7355 of the Revised Civil Stat-



utes of the State of Texas of 1911, relative to occupation taxes; fixing the amount of taxes to be levied on circuses, shows, amusement companies, trained animal shows, wild west shows and other companies of similar kind and character; conferring upon counties, incorporated cities, towns and villages authority to levy occupation taxes; providing for the bringing of suit for the collection of such taxes due the State of Texas and fixing the venue thereof; making certain exemptions from the provisions of this Act; repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 35, A bill to be entitled "An Act to amend House Bill No. 17, passed at the Regular Session of the Thirty-eighth Legislature of Texas, and approved by the Governor January 13, 1923, the Act amended being an Act requiring the Board of Water Engineers and the State Reclamation Engineer in conformity to the statute determining their powers and duties to make and cause to be made, and report to the Governor an adequate survey of the stream water sheds of the State, to the end that flood control, water conservation, and economic utilization in reclamation development may be made practicable; advancing all such work as found feasible in accordance with the relative importance to the public welfare; directing the order in which said surveys and reports shall be made; providing for an appropriation to carry out the provisions of this Act, and declaring an emergency."

H. B. No. 11, A bill to be entitled "An Act to amend Subdivision 5 of Article 7618 of the Revised Civil Statutes of 1911, as amended by Chapter 124, page 190, General Laws, Regular Session, Thirty-fourth Legislature, approved March 22, 1915, pertaining to the collection of delinquent and insolvent taxes and making reports of same by county tax collectors."

H. B. No. 22, A bill to be entitled "An Act amending Subdivision (1) of Section 1 of an Act authorizing and empowering certain municipalities of this State to fix and prescribe the annual salaries or compensation of their city or corporation judge, city attorney and city auditor, at not

exceeding a maximum amount thereof and declaring an emergency, being House Bill No. 101, Chapter 21 of the General Laws of Texas, approved June 17, 1920, and effective June 17, 1923, and declaring an emergency."

S. B. No. 15, A bill to be entitled "An Act making an appropriation to carry into effect the provisions of Chapter 41, General Laws of the First Called Session of the Thirty-seventh Legislature, and declaring an emergency," with amendments.

Respectfully submitted,

C. L. PHINNEY,  
Chief Clerk, House of Representatives.

#### Bills Read and Referred.

The Chair (Lieutenant Governor T. W. Davidson) had referred, after their captions had been read, the following House bills:

H. B. No. 25, to the Committee on State Affairs.

H. B. No. 35, to the Committee on State Affairs.

H. B. No. 28, to the Committee on State Affairs.

H. B. No. 8, to the Committee on State Affairs.

#### Bill Signed.

The Chair (Lieutenant Governor T. W. Davidson) gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read, the following bill:

H. B. No. 41.

#### Adjournment.

On motion of Senator Fairchild, the Senate at 4:50 p. m. adjourned until 9:30 a. m. tomorrow.

#### APPENDIX.

##### Committee Reports.

Committee Room,  
Austin, Texas, May 31, 1923.  
Hon. T. W. Davidson, President of the Senate.  
Sir: We, your Committee on Edu-

cational Affairs, to whom was referred S. B. No. 19, A bill to be entitled "An Act providing for the collection of an annual fee or tuition from those persons entering and attending the State colleges, normals, Agricultural and Mechanical College, West Texas Technological College, Grubbs Vocational College, John Tarlton College, College of Industrial Arts and all branches of the University of Texas, and declaring an emergency."

Have had same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and that it be not printed.

WOOD, Chairman.

Committee Room,

Austin, Texas, May 31, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 5, A bill to be entitled "An Act making appropriation to pay salaries of Judges and the support of the Judicial Department of the State Government for the two years beginning September 1, 1923, and ending August 31, 1923."

Have had same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

WOOD, Chairman.

Committee Room,

Austin, Texas, May 31, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 6, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employees of certain eleemosynary institutions of the State and other expenses of maintaining and conducting them for the two fiscal years beginning September 1, 1923, and ending August 31, 1925, as follows, to-wit: Confederate Woman's Home; State Confederate Home; State Lunatic Asylum; State Pasteur Institute; Southwestern Insane Asylum; North Texas Hospital for the Insane; East Texas Hospital for the Insane; State Epileptic Colony; State Orphan's

Home; State Institution for Training Juveniles; Girls Training School; State Colony for Feeble-minded; State Tuberculosis Sanatorium; Hospital for Crippled Children; Deaf, Dumb and Blind Institute for Colored Youths; Northwest Texas Insane Asylum; State Home for Dependent and Neglected Children; and declaring an emergency."

Have had same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

WOOD, Chairman.

Committee Room,

Austin, Texas, May 31, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 9, A bill to be entitled "An Act making certain emergency and supplemental appropriations out of the general revenues of the State for the several institutions and departments of the State Government as named herein for the balance of the fiscal year ending August 31, 1923; and declaring an emergency."

Have had same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, but be not printed.

WOOD, Chairman.

Committee Room,

Austin, Texas, May 31, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 10, A bill to be entitled "An Act making appropriations to pay miscellaneous claims against the State and authorizing payment of said miscellaneous items on the taking effect of this Act; and declaring an emergency."

Have had same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, but be not printed.

WOOD, Chairman.

**ELEVENTH DAY.**

Senate Chamber,  
Austin, Texas,  
Friday, June 1, 1923.

The Senate met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor T. W. Davidson.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Murphy.
Baugh.	Parr.
Bowers.	Pollard.
Burkett.	Rice.
Clark.	Ridgeway.
Cousins.	Rogers.
Davis.	Strong.
Doyle.	Thomas.
Fairchild.	Turner.
Floyd.	Watts.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.

Absent.

Darwin.	Wirtz.
Stuart.	

Absent—Excused.

Bledsoe.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Watts.

(See Appendix for committee reports, petitions and memorials.)

Excused.

Senator Wirtz for today, on account of important business, on motion of Senator Cousins.

**Painting Capitol Dome.**

Senator Clark sent up and requested to have read a poem.

Senator Cousins moved to table the motion, and the motion to table was lost.

The Secretary then read the poem, as follows:

By Mrs. R. H. Griffith.

It was pale moonlight on the Capitol Hill

As I sat there nursing my Hay-Fever Bill,

And all of a sudden right out of the night

I heard a moan that gave me a fright

And as it nearer and nearer drew  
The volume of sound in proportion grew,

Until one would think that all the ills

Had gathered from off the Capitol Hills.

As I hugged me closer my Emergency Bill

And hid in a corner as still as still  
When gliding out into plain sight  
Came a well known figure dressed in white.

She held a bright star up on high  
And trailing her robes came gliding by.

And out of my corner, in spite of her moan,

I rushed to the dame from the Capitol dome.

"My, dear, my dear, now you are in a fix,

You who've been on the dome since eighty-six;

The joys of our Lone Star State will die

Unless you encourage us from on high."

Then between each moan the fair one said,

As she quickly moved with her restless tread,

"I once was fair for all to see  
From the ranches far to the Texas sea.

But now whether people come by rail,

Or come in a car o'er the Spanish Trail,

And look up to see the bright lone star

That is Texas pride from near and far

I can hear them gasp, and I see them smile,

For I, who have stood on a granite pile,

Am now, to the whole world just a fright

Sitting on a bird cage painted white."

Then with a terrible shudder and sigh

That increased to a moan that rent the sky